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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: HUNTER, et al.Application No./Patent No.: 09/776,403 Filed/Issue Date: February 2, 2001Entitled: AUTOMATED HIGH-THROUGHPUT SEED SAMPLE PROCESSING SYSTEM AND METHODPIONEER HI-BRED INT'L INC., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012412, Frame 0003, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

12-9-03  
DateMARK D. HANSING

Typed or printed name

Signature

Attorney

Title

# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or  
☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

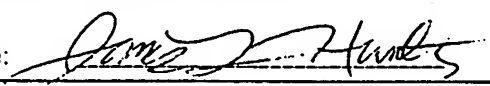
I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME OF INVENTOR(S)

Inventor one: James L. Hunter Date: 1-31-01

Signature:  Citizen of: United States

Inventor two: Andrew S. Nickerson Date: 1-31-01

Signature:  Citizen of: United States

Inventor three: Lyndon J. Schroeder Date: 1-31-01

Signature:  Citizen of: United States

Inventor four: Ronald D. Rushing Date: 1-31-01

Signature:  Citizen of: United States

☒ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement. This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231

ATTORNEY DOCKET: P04419US0

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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

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This declaration is directed to:

- ☒ The attached application, or  
☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one: C. Fred Hood Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: United States

Inventor two: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor three: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

**Burden Hour Statement.** This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231

ATTORNEY DOCKET: P04419US0

Docket No: P04419US0  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hunter, et al. GROUP NO.: 1638  
SERIAL NO: 09/776,403 CONF. NO.: 1428  
FILED: February 2, 2001  
TITLE: AUTOMATED HIGH-THROUGHPUT SEED SAMPLE  
PROCESSING SYSTEM AND METHOD

COMPLETION OF FILING REQUIREMENTS

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This replies to the Formalities Letter dated August 6, 2001. A copy of the Notice to File Missing Parts of Nonprovisional Application -- Filing Date Granted is enclosed.

Attached are the following documents:

- (1) executed declaration of C. Fred Hood;
- (2) executed power of attorney or authorization of agent by C. Fred Hook.

Please enter these documents into this application. It is submitted that these documents meet the requirements of the Notice to File Missing Parts of August 6, 2001.

---

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231 with sufficient postage:

37 CFR 1.8(a)

☒ as first class mail

37 CFR 1.10

☐ as "Express Mail Post Office to Addressee" Mailing Label No.

VIA FACSIMILE TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office

Date:

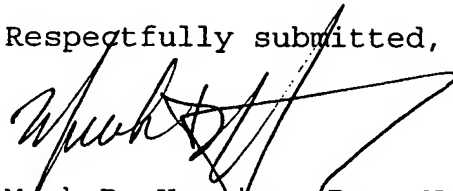
November 28, 2001

  
Mark D. Hansing

Enclosed is a check in the amount of \$610.00 to cover the surcharge for late filing of declaration (\$130.00) and the fee for a two month extension of time (\$480.00). Applicant respectfully petitions for an extension of time under 37 CFR 1.136.

Please charge any underpayment or credit any over payment to Deposit Account No. 26-0084.

Respectfully submitted,



Mark D. Hansing, Reg. No. 30,643  
ZARLEY, MCKEE, THOMTE,  
VOORHEES & SEASE  
Attorneys of Record

801 Grand Avenue  
Suite 3200  
Des Moines, Iowa 50309-2721  
515-288-3667 -wrw-



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/776,403	02/02/2001	James L. Hunter	P04419US0

CONFIRMATION NO. 1428

27142

ZARLEY, MCKEE, THOMTE, VOORHEES &amp; SEASE

ATTN: PIONEER HI-BRED

801 GRAND AVENUE, SUITE 3200

DES MOINES, IA 50309-2721

## FORMALITIES LETTER



\*OC000000006389472\*

Date Mailed: 08/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*C. Fred Hood*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

---

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing      OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	P04419US0
	<b>First Named Inventor</b>	Hunter, et al.
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	09 / 776,403
	<b>Filing Date</b>	February 2, 2001
	<b>Group Art Unit</b>	1638
	<b>Examiner Name</b>	

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Automated High-Throughput Seed Sample Processing System and Method

(Title of the Invention)

the specification of which

☐ is attached hereto  
OR  
☒ was filed on (MM/DD/YYYY) February 2, 2001 as United States Application Number or PCT International (if applicable).

Application Number 09/776,403 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (10-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:		<input checked="" type="checkbox"/> Customer Number or Bar Code Label	27142	OR <input type="checkbox"/> Correspondence address below
Name				
Address				
Address				
City		State		ZIP
Country	Telephone		Fax	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>				
NAME OF SOLE OR FIRST INVENTOR :		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		James L.		Family Name or Surname
				Hunter
Inventor's Signature				Date
Residence: City	Ankeny	State	IA	Country USA
Citizenship	USA			
Mailing Address 1883 N.E. 70th Avenue				
Mailing Address				
City	Ankeny	State	IA	ZIP 50021
Country	USA			
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Andrew S.		Family Name or Surname
				Nickerson
Inventor's Signature				Date
Residence: City	Des Moines	State	IA	Country USA
Citizenship	USA			
Mailing Address 1051 33rd Street				
Mailing Address				
City	Des Moines	State	IA	ZIP 50311
Country	USA			
<input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.				



Please type a plus sign (+) inside this box → +

PTO/CP-52A (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet Page <u>1</u> of <u>1</u>
--------------------	--

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Lyndon J.		Schroeder	
Inventor's Signature		Date	
Residence: City	Urbandale	State	IA
		Country	USA
Citizenship USA			
Mailing Address 4208 82nd Street			
Mailing Address			
City	Urbandale	State	IA
		ZIP	50322
		Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Ronald D.		Rushing	
Inventor's Signature		Date	
Residence: City	Windsor Heights	State	IA
		Country	USA
Citizenship USA			
Mailing Address 1129 67th Street			
Mailing Address			
City	Windsor Heights	State	IA
		ZIP	50311
		Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
C. Fred		Hood	
Inventor's Signature		Date	
<i>C. Fred Hood</i>		11/5/01	
Residence: City	Naples	State	FL
		Country	USA
Citizenship USA			
Mailing Address 281 27th Street S. W.			
Mailing Address			
City	Naples	State	FL
		ZIP	34117-3145
		Country	USA

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